

DEPARTMENT OF THE ARMY
U.S. ARMY TRANSPORTATION CENTER
Fort Eustis, Virginia 23604-5000

ATZP-CP
POLICY BRIEF
Number 690-11

17 July 1997

Civilian Personnel

FEDERAL EMPLOYEES COMPENSATION ACT (FECA)

STATEMENT OF POLICY:

1. The cost of civilian employees injury/illness compensation continues to rise. During a time of budget reductions and personnel cuts, it is imperative that all commanders, directors, managers and supervisors give special emphasis to controlling these costs through prevention and intensive management of employee injury cases. The Federal Employees Compensation Act (FECA) provides payment for medical expenses and income for employees who are absent from duty due to an injury/illness incurred on the job. Effective FY 94 a funding baseline was established to reimburse the Department of Labor for FECA claims. Claims exceeding the funding baseline allocated to the installation will be borne by the installation and could adversely impact budgets and force protection. This installation is committed to returning injured employees to work and reducing the costs associated with the FECA program. This policy brief establishes procedures and responsibilities to reduce these costs and maintain a safe working environment.

2. Responsibilities and procedures.

a. USATC Commander will:

(1) Establish an installation FECA Committee with representatives from the Safety Office, Occupational Health Service, Civilian Personnel Advisory Center (CPAC), Staff Judge Advocate, Criminal Investigation, and Directorate of Resource Management. The committee will review claims to ensure questionable injuries/illnesses have been thoroughly investigated and documented.

(2) Establish a FECA Executive Committee, chaired by the Chief of Staff (tenant activities see 2b(1)), to monitor and discuss injury cases identified by the committee that have unusually high cost and/or where employee has extended lost time.

(3) Support at least one on-site visit per year for the Installation FECA Administrator, CPAC with the Department of Labor, Office of Worker's Compensation Program (OWCP) for case review.

b. Chief of Staff/Tenant Activity Director/Commander or designee:

(1) Chairs the FECA Executive Committee to discuss cases referred by the FECA committee. Discusses with activity director and/or supervisor actions taken to return the injured employee to work and measures taken to prevent injuries from recurring. Initiates investigations as appropriate.

(2) Reviews quarterly FECA reports which identify trends and areas of priority emphasis and directs appropriate action.

c. Activity directors or tenant activity equivalent:

(1) Provide ongoing support dedicated to returning injured employees to work. Stress the use of modified duty, work hardening, rehabilitation, and retraining for employees partially or fully disabled as a result of on-the-job injuries or occupational illnesses.

(2) Identify and submit to the FECA Administrator a listing of limited duty positions or tasks which may be available on a temporary basis (usually 2 weeks or more), location of assignment, and estimated duration of work. Listing will be updated annually and due initially not later than the end of the 1st quarter. Limited duty includes modified regular duties and other unrelated duties such as reception work, filing, messenger, verifying data, timekeeping, maintaining supplies, preparing reports, answering telephones, ad hoc duties, work currently performed on overtime, backlogs or special projects identified for short-time limited duty assignments.

(3) Participate in FECA Executive Committee by explaining questionable cases, justifying steps taken to alleviate workplace hazards, and measures taken to return injured employees to duty.

(4) Designate an organizational FECA representative to serve as a central point of contact to assist the supervisor and employee with the preparation of appropriate injury forms.

d. Supervisors will:

(1) Maintain a safe and healthy workplace.

(a) Inform employees of hazards, discuss housekeeping such as keeping floors free of oil or liquids, keeping aisles clear, placing trash or scrap in proper

containers, etc. For high-risk jobs/hazardous operations, prepare a Job Hazard Analysis and Risk Assessment.

(b) Explain safety and occupational health rules and regulations, including the use of protective clothing and equipment. Observe employee practices and take appropriate action when rules/regulations are not followed.

(c) Evaluate and take corrective action on hazards reported by employees or identified through accident investigation.

(d) Provide training commensurate with work assignments.

(e) Inform all employees of the requirement to report all accidents, however minor. Cover specific procedures and forms required to ensure benefits and entitlements are received (this includes time-frames). Seek assistance from organization's FECA representative, Personnel Management Specialist (PMS), or the FECA Administrator as required.

(2) Report and Investigate Occupational Illnesses and Injuries.

(a) Authorize medical care upon notice of occupational injury/illness using CA Form 16 (Authorization for Examination and/or Treatment) and accompany the employee to the medical treatment facility (McDonald Army Community Hospital) for initial evaluation. This initial evaluation will not interfere with the employee's right of choice of physician for treatment. Notify organizational FECA Representative of injury to obtain necessary claim/authorization forms. Inform the employee of his rights and responsibilities as a person claiming occupational injury or illness. Provide CA-1, CA-2, and/or other forms as appropriate and assist the employee to complete the forms to meet time constraints as necessary.

(b) Maintain contact with the employee during his or her absence from the job. Talk with the employee weekly by visiting or telephoning. Monitor employee's progress and duty status; request periodic medical reports and inform the employee of the availability of modified duty work.

(c) Investigate immediately and gather facts surrounding the injury that will either substantiate the employee's claim or provide objective evidence that the condition claimed is not the result of a work related injury.

(d) Authorize continuation of pay (COP) or dispute it when necessary. Employees who sustain a traumatic disabling injury are entitled to COP for up to 45 days, if they provide medical documentation within 10

working days of the date of the injury and the supervisor's investigation substantiates the claim. All COP is subject to taxes and other payroll deductions and is paid directly to the employee from the operating budget. The supervisor sends authorization of COP to the civilian payroll office with the employee's time card on which the first day of COP is posted. If disputing the COP, contact the FECA Administrator in the CPAC immediately.

(e) Monitor and examine claims for indicators of possible third party liability. Contact the FECA Administrator immediately of any third party liability indicators.

(3) Modified Duty/Return to Work

(a) Offer all employees released to return to limited duty work commensurate with their medical limitations. If reasonable, supervisor will place employee with short term limitations on limited duty within their present position.

(b) If such accommodation is not reasonable, supervisor refers matter through supervisory channels to the activity director who will attempt to find other suitable work within the employee's activity. If work within the activity is unavailable, supervisor will contact FECA Administrator for help in finding limited duty work in another activity.

(c) If an employee has been partially disabled for an extended period of time (generally 6 months), and medical evidence indicates partial disability is permanent or the period of disability is undetermined, the supervisor should coordinate with activity director and the FECA Administrator to decide on opportunities for placement, rehabilitation, or retraining measures needed for permanent placement. Refer the disabled employee's case to the FECA Administrator for placement.

(d) If placement efforts are unsuccessful, ensures employee is referred to CPAC for counseling on options such as disability retirement and long-term compensation.

e. FECA Committee:

(1) Conducts a FECA Awareness Campaign on behalf of the commander which concentrates on educating the local medical community of options available to reduce cost and continue to provide proper medical care.

(2) Conducts intensive case management by thorough review of individual cases to ensure they are well documented and investigated. Recommends corrective action to prevent injuries.

(3) Participate in the FECA Executive Committee by identifying questionable cases, main points of discussion and recommendations to alleviate identifiable

problems. Establishes agenda, list of participants, date, time and location of the FECA Executive Committee. Prepares summary of actions taken.

(4) Annually recommend to the installation commander projects for installation funding, to include year end funding, where evidence exists or appropriate inspections/surveys have established a high potential for future FECA claims if the existing condition is not corrected.

f. Organizational FECA Representative:

(1) Maintains adequate supply of FECA forms for supervisor/employee use.

(2) Answers routine questions on forms preparation.

(3) Ensures supervisor is aware of and meets time constraints for claims.

g. Civilian Personnel Advisory Center

(1) Designates a FECA Administrator who:

(a) Administers the provisions of the FECA Program in a timely and efficient manner. Advises on regulatory, policy and procedural matters pertaining to FECA.

(b) Serves as CPAC representative on the FECA Committee.

(c) Serves as central processing point for all injury/illness claims and point of contact for OWCP. Establishes and reviews case files for completeness, medical management, referral to the FECA Committee, degree of rehabilitation/recuperation, etc.

(d) Advises and assists the supervisor with documents necessary to dispute a claim for COP, recommends further investigation of injury or additional data relevant to the adjudication process and coordinates action with the OWCP.

(e) Determines, based on reported facts, candidates eligible for modified duty and coordinates with

Personnel Management Specialist and the employee's supervisor for action. In coordination with the Personnel Management Specialist, documents all placement efforts made and continues priority consideration and placement efforts until the employee is either placed, retrained, retired, or separated.

(f) Reviews installation chargeable list for accuracy. Identifies discrepancies and coordinates resolution with OWCP.

(g) Maintains listing of limited duty positions identified by activity directors to be used for temporary placement of injured employees. In conjunction with Personnel Management Specialist and supervisors, coordinates placement of injured employees across organizational lines.

(h) Arrange on-site visits for OWCP representative on behalf of the Commander.

(i) Provides training in FECA matters for organizational FECA representatives and supervisors.

(2) Designate Personnel Management Specialist to advise and assist management in returning employees to a work status by redesigning or locating positions to accommodate injured employee's limitations or take other appropriate action for employees with permanent disabilities.

3. This policy brief supersedes Policy Brief 690-11, dated 27 June 1997.

SUPPORTING STATEMENTS: None

REFERENCES:

1. AR 690-800, Insurance and Annuities, chapter: 810, Injury Compensation

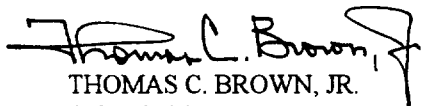
2. TRADOC Memorandum, dated 23 April 1993, subject: TRADOC Policies and Procedures for the Federal Employees Compensation Act (FECA) Program.

ACTION: Maj Subordinate CDRs
Dir & Chiefs of Staff Offices
CDRs, Tenant Actvs

INFO: CG Policy File
CFE Files

DISTRIBUTION:
A (Plus)
2 - DOIM Editorial

DATE APPROVED: 18 July 1997


THOMAS C. BROWN, JR.
Colonel, GS
Chief of Staff